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SUPREME COURT, U. S.

APPENDIX

FILED
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MICHAEL RODAK, JR.

IN THE

Supreme Court of the United States

October Term, 1972

No. 72-1264

MAYOR OF THE CITY OF PHILADELPHIA, *et al.*,
Petitioners

v.

EDUCATIONAL EQUALITY LEAGUE, *et al.*,
Respondents

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

Petition for Certiorari filed March 16, 1973
Certiorari granted May 7, 1973

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Order Amending Opinion of the United States Court of Appeals for the Third Circuit, dated February 21, 1973, incorporated herein by reference, appears in the Petition for Writ of Certiorari at Page	52

RELEVANT DOCKET ENTRIES

August 6, 1971	Complaint filed.
Eo. Die.	Plffs' motion for preliminary injunction, filed.
August 10, 1971	Defts' motion to dismiss and notice of motion, filed.
August 17, 1971	Plffs' request for admission under Rule 36, filed.
Eo. Die.	Plffs' motion for declaration of class action, filed.
August 18, 1971	Defts' amended motion to dismiss, filed.
August 23, 1971	Ordered that defts' respond to plffs' Request for Admissions by delivering said response to the office of plffs' counsel no later than 5 P.M. 8/24/71, filed.
August 25, 1971	Non-Jury Trial begins. Motion to dismiss — Denied. Trial witnesses sworn. C.A.V.
August 27, 1971	Defts' answers to request for admissions, filed.
September 7, 1971	Non-jury trial reconvenes. Trial witnesses sworn.
September 8, 1971	Defts' supplemental answers to request for admissions, filed.
September 10, 1971	Plffs' motion to produce document or strike testimony, filed.
September 15, 1971	Defts' answer to motion to produce document or strike testimony, filed.
September 28, 1971	Plffs' amended motion to compel production of document, filed.

September 29, 1971	Defts' answer to amended motion to compel production of document, filed.
October 1, 1971	Order that deft produce one copy of document entitled "City Employees Study" to plff and one copy to Court, etc., filed (10/4/71) entered and copies mailed.
October 8, 1971	Plffs' motion to compel compliance with Order of the Court dated 10/1/71, filed.
October 13, 1971	Answer of defts, filed.
October 28, 1971	Order dated 10/27/71 that plff return to deft all copies of report (City Employee's Study) obtained pursuant to Court's prior order in this case, filed. 10/29/71 entered and copies mailed.
November 8, 1971	Findings of fact, conclusions of law, Broderick, J. and Order dated 11/8/71, that this complaint is dismissed with prejudice, filed. 11/8/71 notice mailed—11/9/71 entered.
November 9, 1971	Supplemental record transmitted to U.S. Court of Appeals.
November 10, 1971	Notice of appeal of plffs, filed. (11/11/71 entered and copy mailed to U.S. Court of Appeals and Levy Anderson, Esq. and John Mattioni, Esq.)
November 17, 1971	Copy of Notice of Appeal rec'd November 12, 1971, filed.
December 5, 1972	Argued. Coram: Van Dusen, Gibbons and Hunter.

January 11, 1973	Opinion of the Court (Van Dusen, Gibbons and Hunter), filed.
Eo. Die.	Judgment vacating the judgment of the District Court filed November 8, 1971, except as to the Educational Nominating Panel, and remanding the cause to the District Court for further proceedings consistent with the opinion of this Court, filed.
January 23, 1973	Petition for Rehearing, filed. (25 copies)
January 26, 1973	Petition for Rehearing and Petition for Rehearing en banc, filed. (25 copies)
February 21, 1973	Order Amending Opinion (Van Dusen, Gibbons and Hunter), filed.
Eo. Die.	Order (Van Dusen, Aldisert, Adams, Gibbons, Rosenn and Hunter, C. J.) denying the petition for rehearing filed by appellees, filed.
March 1, 1973	Motion by appellees for stay of mandate pending certiorari filed. (4 copies) Affidavit of service attached.
Eo. Die.	Answer by appellants to motion for stay of mandate, filed. (4 copies) Affidavit of service attached.
March 2, 1973	Order (Van Dusen, Circuit Judge) staying the issuance of the mandate until Supreme Court of the U.S. contemplated by the 3d sentence of Rule 41(b) of F.R.A.P. is filed with the clerk of this Court on or before March 17, 1973, filed.

March 20, 1973	Notice of filing of petition for writ of certiorari on March 16, 1973 rec'd from Clerk of Supreme Court, filed. (S.C. No. 72-1264)
May 14, 1973	Certified copy of order dated May 7, 1973 rec'd from Clerk of S.C. granting the petition for writ of certiorari, filed. (S.C. No. 72-1246)

IN THE

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
OF PENNSYLVANIA

Civil Action No. 71-1938

EDUCATIONAL EQUALITY LEAGUE, et al.,
Plaintiffs

v.

HONORABLE JAMES H. J. TATE, et al.,
Defendants

REQUEST FOR ADMISSION UNDER RULE 36

Plaintiffs hereby request defendants within three (3) days after service of this request to make the following admissions for the purpose of this action only and subject to all pertinent objections to admissibility which may be interposed at the trial:

1. That the following are all employees of the City of Philadelphia, that they hold the position indicated, that they are all exempt from civil service under Section 7-301 of the City Charter, and that they are of the race indicated:

E	Fred T. Corleto	white	Managing Director
E	Romanus J. Buckley	white	Finance Director
E	Levy Anderson	white	City Solicitor
E	Anthony P. Zecca	white	Deputy to the Mayor
E	Tina V. Weintraub	white	Executive Director, PGH